

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JOHN J. DIAMONT, JR.

Defendant.

CRIMINAL NO. 05-10154-MLW

**ASSENTED TO MOTION TO EXTEND DEADLINE
FOR FILING DISCOVERY MOTIONS**

Pursuant to Federal Rule of Criminal Procedure 45(b)(1)(A), defendant John Diamont moves to extend his deadline for filing discovery motions from October 31, 2005, to November 10, 2005. The government has assented to this Motion and asks that its deadline for responding to Mr. Diamont's November 10 discovery motions be set at November 30, 2005. In support of this Motion, Mr. Diamont states that his counsel have been diligently reviewing documents that the government has provided. Counsel for Mr. Diamont and counsel for the government have engaged in extensive correspondence to narrow the discovery issues that must be presented before the Court, and they are still in the process of seeking to reach various agreements to narrow these issues. Mr. Diamont requests this brief extension in order to allow counsel to complete this process and avoid burdening the Court with unnecessary issues.

WHEREFORE, Mr. Diamont asks the Court to (i) extend his deadline for filing any discovery motions to November 10, 2005; (ii) set the government's deadline for responding to such motions at November 30, 2005; and (iii) thereafter schedule oral argument on any discovery motions at a time convenient to the Court.

Respectfully submitted,

JOHN DIAMONT

By his attorneys,

/s/ Lauren M. Papenhausen
Michael Kendall (BBO #544866)
Lauren M. Papenhausen (BBO #655527)
McDERMOTT WILL & EMERY LLP
28 State Street
Boston, MA 02109
617-535-4000

October 27, 2005

BST99 1478410-1.073607.0010